

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MONZELLE L. STEPTOE

§

VS.

§

CIVIL ACTION NO. 1:24-cv-499

J. BLACK, ET AL

§

MEMORANDUM OPINION REGARDING VENUE

Plaintiff filed this lawsuit pursuant to 42 U.S.C. § 1983 against three Defendants, including Eladios Gallegos, Jr., and Latrista Brown.

The Civil Rights Act, 42 U.S.C. § 1981, *et. seq.*, under which this case is brought, does not contain a specific venue provision. Accordingly, venue is controlled by 28 U.S.C. § 1391. When, as in this case, jurisdiction is not founded solely on diversity of citizenship, Section 1391 provides that venue is proper only in the judicial district where the defendants reside or in which the claim arose.

Defendants Gallegos and Brown are employed at the Smith Unit and are sued based on events that occurred at the Smith Unit. The Smith Unit is located in Dawson County, Texas. Defendants Gallegos and Brown therefore appear to reside in Dawson County. Further, as the actions attributed to Defendants Gallegos and Brown were taken at the Smith Unit, the claims against these Defendants arose in Dawson County. Pursuant to 28 U.S.C. § 124, Dawson County is located in the Lubbock Division of the Northern District of Texas.

As Dawson County is located in the Lubbock Division of the United States District Court for the Northern District of Texas, venue with respect to the claims against Defendants Gallegos and Brown is not proper in this court. When a case or claim is filed in the wrong district, the court “shall

dismiss, or if it be in the interests of justice, transfer such case to any district or division in which it could have been brought.” 28 U.S.C. § 1406(a).

ORDER

Accordingly, Plaintiff's claims against Defendants Gallegos and Brown are **SEVERED** and **TRANSFERRED** to the Lubbock Division of the United States District Court for the Northern District of Texas.

SIGNED this the 20th day of December, 2024.

A handwritten signature in black ink, appearing to read 'C. Stetson', is written above a horizontal line.

Christine L Stetson
UNITED STATES MAGISTRATE JUDGE